

481—74.3(10A) Procedures. Procedures are based on the destination of the information gathered.

74.3(1) An investigation requested because of public assistance overpayment and received from the recoupment section may include the following steps.

- a.* The recipient file is sent to the department by DHS.
- b.* An interview may be conducted with anyone who may have knowledge pertinent to the case.
- c.* An interview with the individual being investigated may be conducted when the Miranda warning is used; the individual shall be requested to sign a statement of rights and acknowledgment and waiver (Form 427-042). This form explains the rights of the individual and is signed by the investigator and the subject of the investigation.
- d.* Assembled information may be presented to the appropriate county attorney.
- e.* The economic assistance fraud bureau may use all investigative evidence-gathering procedures, including administrative subpoena, which are in compliance with appropriate city, county, state and federal laws, rules, and regulations. Information collected about recipients of public assistance is confidential and will not be released during an investigation to anyone not involved in the investigation.

74.3(2) Lost or stolen warrants are investigated by the economic assistance fraud bureau when a written request is received from DHS. The results of the investigation are returned to DHS.

- a.* The decision to issue or withhold a second warrant is made by DHS.
- b.* If a warrant is not replaced and someone is to be prosecuted, the department prepares information for the appropriate county attorney.
- c.* Specific procedures followed by both the department and DHS staff are contained in “Lost/Stolen Warrant Replacement Procedures” agreed to by department and DHS staff. A copy is available upon request through the Director’s Office, Department of Inspections and Appeals, Lucas State Office Building, Des Moines, Iowa 50319.